

Ordinance No. 2642-22

City of St. Louis Park Hennepin County, Minnesota

Emergency ordinance establishing face covering requirement

The City of St. Louis Park does ordain:

Whereas, the St. Louis Park City Council, has found that the following emergency exists:

Our local region is experiencing a surge of COVID-19 infections due to the highly contagious Delta and Omicron variants, which are variants of concern according to the Center for Disease Control (CDC).

Whereas, the CDC and Minnesota Department of Health (MDH) along with other public health experts have determined that the virus, and in particular these variants, can be transmitted before an infected individual shows symptoms and that a significant portion of individuals with COVID-19 do not have symptoms and can still transmit the virus;

Whereas, the CDC and MDH are urging the general public to wear face coverings when in public to help curb the spread of COVID-19, by preventing the transmission of respiratory droplets that contain the virus;

Whereas, the City Council finds that this emergency threatens the health, safety, and welfare of the citizens of the community, and threatens the continuation and efficient delivery of city services and the delivery of health services at hospitals, clinics, and medical institutions in the city and region.

Whereas, the St. Louis Park City Charter §1.02 allows the City to “define, prohibit, abate and suppress all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City and all nuisances and causes thereof.”

Whereas, the St. Louis Park City Charter §3.06 allows the City to enact an emergency ordinance when it is “necessary for the immediate preservation of the public peace, health, morals, safety or welfare in which the emergency is defined and declared.”

Whereas, the City of St. Louis Park desires to require face coverings when individuals are in places of public accommodation, consistent with federal and state health agency guidance.

Now, therefore, be it ordained by the city council of the City of St. Louis Park, Minnesota, as follows:

Section 1.

1. Individuals are required to wear a face covering while in a space of public accommodation.

2. All owners and managers of enclosed buildings or rooms which house a space of public accommodation must:
 - a. Post face covering signs at each public entrance. This sign must be at least 8 inches by 10 inches and say: The City of St. Louis Park requires individuals to wear a face covering or a mask while inside this building.
 - b. Require all employees wear a face covering when the individual is within six feet of another person.
 - c. Inform customers, visitors, and guests to wear a face covering before entering spaces of public accommodation and that they are required to wear the face covering until exiting.
3. The following shall also apply to the face covering requirement in sections 1 and 2:
 - a. Restaurants and bars. Must require all customers wear a face covering when not seated at their table.
 - b. Entertainment venues. Individuals are required to wear a face covering when the individual is within six (6) feet of another person. When the individual is seated and is maintaining social distancing and not within six (6) feet of a person they may remove the face covering but are required to wear the face covering when walking to or from their seat and while standing in or walking through public areas such as lobbies and restrooms.
 - c. Common spaces in multi-family residential and multi-tenant office buildings. Residents of multi-family housing buildings, and their guests; and tenants, employees and their guests in multi-tenant office buildings are required to wear a face covering when in common spaces such as hallways, corridors, lobbies, restrooms, mail rooms, elevators, trash and recycling rooms, fitness rooms, recreation rooms, laundry rooms, and other space owned and used in common by the residents, employees, and tenants of the building.
4. Definitions:
 - a. "Space of public accommodation" means a business, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Examples include retail stores, rental establishments, City of St. Louis Park government buildings, and service establishments as well as recreational facilities, and service centers. This definition includes establishments and facilities that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries.
 - b. "Face covering" means a cloth or other covering that fully covers an individual's nose and mouth, secured to the head with ties or straps or simply wrapped around the lower face. The terms "mask" and "face covering" are synonymous.

- c. "Physical distancing" means maintaining six (6) feet of separation between individuals of different households.
5. This emergency ordinance does not apply to the following persons and places of public accommodation:
 - a. Individuals actively eating or drinking.
 - b. Children under the age of five (5).
 - c. Individuals unable to wear a face covering due to medical reasons, disabilities, or developmental reasons.
 - d. Individuals speaking or performing to an audience, whether in person or through broadcast, provided the speaker remains six (6) feet or more away from other individuals.
 - e. Individuals who are deaf or hard of hearing or an individual who is speaking to someone who is deaf or hard of hearing and requires the mouth to be visible to communicate.
 - f. Individuals who are unable to remove the face covering without assistance.
 - g. Individuals temporarily removing the face covering for identification purposes.
 - h. Participants in youth and adult sports are exempt from this emergency ordinance.
 - i. Facilities operated by the county, state, or federal government.
 - j. Medical facilities that already have face covering requirements.
 - k. Athletic facilities are encouraged to follow CDC and MDH guidelines. Patrons are not required to wear face coverings or masks while actively participating in athletic activities but are encouraged to wear face coverings when not actively training.
 - l. Voting sites and polling places.
 - m. Office areas where physical distancing is maintained between individuals and workstations.
 - n. Places of worship.
 - o. Federal, state, or other non-city government buildings; and
 - p. Public and private school facilities.
6. This emergency ordinance is not a substitute for other critical health practices such as hand washing, staying home when sick, and physical distancing. Even when outside, every individual is encouraged to wear a face covering when physical distancing cannot be maintained.
7. Any person who violates this emergency ordinance shall be guilty of a petty misdemeanor and upon conviction thereof shall be punished for a fine not to exceed \$300.00.

Section 2. This ordinance shall take effect on Jan. 21, 2022. The ordinance shall expire without further action at 11:59 p.m. on Feb. 22, 2022 unless repealed or extended by action of the city council.

Reviewed for administration:

DocuSigned by:



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Kim Keller, city manager

Adopted by the St. Louis Park City Council
January 18, 2022

DocuSigned by:



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Jake Spano, mayor

Attest:

DocuSigned by:

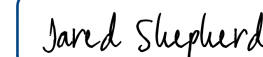


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Melissa Kennedy, city clerk

Approved as to form and execution:

DocuSigned by:



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Jared Shepherd, city attorney